

AGENDA ITEM SUMMARY

City Council



STAFF

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SUBJECT

First Reading of Ordinance No. 026, 2025, Declaring Certain City-Owned Property at Pelican Marsh Natural Areas as Public Right-of-Way.

EXECUTIVE SUMMARY

The purpose of this item is to declare approximately 0.073 acres of Pelican Marsh Natural Area as road right of way (ROW).

The City would construct road and intersection improvements, utility relocations, and fully signalize the intersection of U.S. 287 and Triangle Drive. The project would also install northbound left and southbound right turn lanes on Triangle Drive, and Americans with Disabilities Act (ADA) accessible sidewalk connections to provide multimodal connectivity for bicyclists and pedestrians linking the Ridgewood Hills and Shenandoah neighborhoods west of U.S. 287 to the Lakeview on the Rise Subdivision east of U.S. 287.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

BACKGROUND / DISCUSSION

The 156-acre Pelican Marsh Natural Area is located about a half mile south of Trilby Road and immediately east of U.S. 287. The site encompasses an irrigation reservoir, the 42-acre Robert Benson Lake. The lake provides habitat for American white pelicans, a variety of ducks and other wetland birds, hawks, owls, and grassland birds. The natural area was acquired in 2002 in a single transaction. The proposed ROW declaration and a related 0.474-acre slope alignment would cross the western boundary of the natural area adjacent to U.S. 287. Total impacted area is approximately 0.55 acres.

In March 2023, Engineering staff approached Natural Areas staff with a need to signalize the intersection at U.S. 287 and Triangle Drive to address vehicle and pedestrian safety concerns. The intersection currently contains existing unsignalized access for both the Shenandoah and Ridgewood Hills neighborhoods. The signalization of the intersection was found to be warranted by Traffic, with a history of severe crashes occurring at this intersection: between 2013-2022 the intersection was the site of 20

property damage crashes, 9 possible injury crashes, 1 minor injury crash and 1 fatal crash. In 2023, CDOT committed FASTER funding to the City for signal improvements.

The project will install a new traffic signal, as well as bicycle and pedestrian improvements using a sidepath to connect northeast towards the Lakeview on the Rise neighborhood. The improvements will meet ADA requirements.

On October 1, 2024, Council authorized via Resolution 2024-120 the execution of an Intergovernmental Agreement between the City and the Colorado Department of Transportation for the U.S. 287 and Triangle Drive Signal Installation Project. Subsequently on October 15, 2024, Council approved Ordinance No. 141, 2024 appropriating revenue to fund the signal installation project.

City Engineering and Natural Areas staff considered several alternatives and developed the following Preferred Alternative to be the best option, which balances traffic safety and Natural Area impact concerns. Alternatives A and B are included as Attachment 3.

Preferred Alternative – Signal Poles and Modified Sidepath

The preferred alternative offers a compromise between Alternatives A and B and minimizes the impact to the natural area while also addressing safety concerns associated with an on-curb sidepath. This alternative includes the two signal poles, an 8-foot wide sidepath, detached from the curb along U.S. 287 by a 6.5-foot-wide parkway. Between the two traffic signals, the parkway would be constructed with a hardscape concrete median cap as requested by the Natural Areas Department due to constraints to bringing in maintenance equipment. Outside of the intersection, the parkway would be landscaped with an approved seed mix in conformance with the Natural Areas policy.

Behind the sidepath there would be a 2-foot buffer before a grade change would tie into existing ground, within the proposed ROW. Within the proposed slope alignment, A 3:1 grade behind the benched area would create a more gradual transition than the existing condition which will support restoration to a native seed mix. This will improve vegetation from its current condition which is primarily smooth brome.

Within the scope of the area defined with the project, the existing barbed wire fence will be removed, as requested by the Natural Areas Department. The project is in the process of securing an option letter from CDOT and hopes to finalize the plans for advertisement in March and begin construction in April 2025. The project is anticipated to take two months to construct with completion in Q2 2025. With the College and Trilby intersection project north of the Triangle Drive project looking to also resume its construction at around the same timeframe, and needing to temporarily close Trilby Road at the intersection as part of its scope, there is a desire to ensure the project is able to implement the construction of at least a temporary signal, if not the full signal at the U.S. 287 and Triangle intersection as expeditiously as possible in relation to the work at College and Trilby.

Rather than an expanded ROW to match the existing ROW to the north, a narrower alignment is proposed to reduce the impacts to the Natural Area. North of Pelican Marsh the existing ROW is 75' East of the highway centerline. Along the Pelican Marsh Natural Area, the proposed ROW (existing and new) will be mostly 60' east of the highway centerline.

The proposed slope alignment is 81.5 feet wide at its widest point. The slope alignment covers an area that is already steeply sloped. However, the existing sloped land will be engineered and regraded to better support the highway infrastructure. The slope alignment document is intended to provide a formal record of the need to preserve the slope in its modified condition.

Environmental Impact

Natural Areas staff have worked closely with Engineering to minimize impacts to the site and to identify opportunities to improve the ecological condition in this area. Currently, the site is steeply sloped (roughly a

1.5-1 slope ratio currently) and dominated by smooth brome. An ecological characteristics study (ECS) was conducted (October 2024) within a 500' buffer of the Triangle Drive and U.S. 287 intersection. Vegetative species observed are typical of previously disturbed and overgrazed areas and include introduced and native grass and herbaceous species, such as smooth brome, showy milkweed, hairy willowherb, wiregrass, red sorrel and curly dock. No trees exist in the study area. The ECS also included a wetlands delineation which concluded approximately 0.034-acre of wetlands is within the ROW project's limits of disturbance. The wetland is dominated by rush (*Juncus* spp.) and broadleaf cattail (*Typha latifolia*).

No federally or state-listed threatened and endangered species are known to occur within the project area. No prairie dog, fox, or coyote dens exist within the project area. Two sensitive and specially considered species, the common garter snake and rufous hummingbird, have the potential to occur with the project area but were not observed. Within the project area, common milkweed, an essential food source for the monarch butterfly and two-spotted skipper, is also present but is not highly concentrated.

The project was reviewed by the City's Stormwater Department to determine if it necessitated an MS4 permit. However, since the project is below the threshold for additional paved area, it did not trigger the need for additional water quality treatment.

In accordance with the City's Land Use Code § 5.6.1(F)(2), construction activities will be timed to minimize the disturbance of and potential impacts to those species and their habitats. Temporary impacts are anticipated and are expected to be limited to construction and revegetation activities. An existing barb wire fence will be removed. All areas disturbed by construction activities will be restored to native vegetation using a seed mix approved by Natural Areas. Ongoing impacts other than infrequent maintenance are not anticipated.

CITY FINANCIAL IMPACTS

Application fee:	\$2,500
Mitigation fee:	\$7,792
Uplands: \$4,187/ac. @ .44 acres = \$1,842	
Wetlands: \$175,000/ac. @ 0.034 acres = \$5,950	
Easement/ROW Declaration fee: \$43,560/acre x 100% @ 0.073 acres	\$ 3,177
Slope notice of alignment fee: \$43,560/acre x 25% @ 0.474 acres	\$ 5,167
Total	\$18,636

Engineering will pay the fees to the Natural Areas Department to support administrative costs and land conservation efforts as defined in the Natural Areas Easement Policy. Real Estate Services staff completed a Comparative Market Analysis to derive the value of the ROW declaration and slope notice of alignment fees.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

At its February 12, 2025, meeting, the Land Conservation and Stewardship Board (LCSB) voted (-) to recommend that City Council approve the declaration of road right-of-way on Pelican Marsh Natural Area.

PUBLIC OUTREACH

None.

ATTACHMENTS

1. Ordinance for Consideration
2. Exhibit A to Ordinance
3. Alternatives A and B
4. Preferred Alternative – Plan Sheet
5. Vicinity Map
6. Project Location Map
7. Land Conservation Stewardship Board Meeting Minutes, February 12, 2025 (excerpt)